

# UNITED STATES DISTRICT COURT

for the  
District of South Dakota

In the Matter of the Search of: )  
Two cell phones associated with Christopher )  
Bald Eagle and currently in the custody of the ) Case No. 5:20-mj-121  
FBI )

## SEARCH AND SEIZURE WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government requests the search of the following person or property located in the District of South Dakota (identify the person or describe the property to be searched and give its location):

See **ATTACHMENT A, C, D, E, F**, attached hereto and incorporated by reference

I find that the affidavit, or any recorded testimony, establish probable cause to search and seize the person or property described above, and that such search will reveal (identify the person or describe the property to be seized):

Evidence of a crime in violation of 18 U.S.C. §§ 1201(a)(1), (g)(1)(A), and (B)(i) and (ii), 2260A, as described in **ATTACHMENT B**, attached hereto and incorporated by reference.

I find that the affidavit, or any recorded testimony, establishes probable cause to search and seize the person or property.

**YOU ARE COMMANDED** to execute this warrant on or before June 17, 2020 (not to exceed 14 days)

☐ in the daytime 6:00 a.m. to 10 p.m. ☒ at any time in the day or night because good cause has been established.

Unless delayed notice is authorized below, you must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave the copy and receipt at the place where the property was taken.

The officer executing this warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to Daneta Wollmann.  
(United States Magistrate Judge)

☐ Pursuant to 18 U.S.C. § 3103a(b), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and authorize the officer executing this warrant to delay notice to the person who, or whose property, will be searched or seized (check the appropriate box)

☐ for \_\_\_\_\_ days (not to exceed 30). ☐ until, the facts justifying, the later specific date of \_\_\_\_\_.

☐ I find that good cause has been established to authorize the officer executing this warrant to not provide notice prior to the execution of the search warrant, i.e., "no knock".

Date and time issued: 6/3/20 at 10:30pm

City and state: Rapid City, SD



Judge's signature

Daneta Wollmann, U.S. Magistrate

Printed name and title

cc: AUSA Collins - clr

**Return**Case No.:  
5:20-mj-121

Date and time warrant executed:

Copy of warrant and inventory left with:

Inventory made in the presence of :

Inventory of the property taken and name of any person(s) seized:

**Certification**

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Executing officer's signature*\_\_\_\_\_  
*Printed name and title*

## UNITED STATES DISTRICT COURT

for the  
District of South Dakota

In the Matter of the Search of: )  
 Two cell phones associated with Christopher ) Case No. 5:20-mj-121  
 Bald Eagle and currently in the custody of the )  
 FBI )

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property *(identify the person or describe the property to be searched and give its location)*:

SEE "ATTACHMENT A, C, D, E, F", which is attached to and incorporated in this Application and Affidavit

located in the District of South Dakota, there is now concealed *(identify the person or describe the property to be seized)*:

SEE "ATTACHMENT B", which is attached to and incorporated in this Application and Affidavit

The basis for the search under Fed. R. Crim. P. 41(c) is *(check one or more)*:

- ☒ evidence of a crime;  
☒ contraband, fruits of crime, or other items illegally possessed;  
☒ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

*Code Section*  
 18 U.S.C. §§ 1201(a)(1), (g)(1)(A) and (B)(i) and (ii)  
  
 18 U.S.C. § 2260A

*Offense Description*  
 Kidnapping of a person under the age of 18 who is not a parent, grandparent, brother, sister, aunt, uncle or legal custodian  
 Enhanced penalties for a person violating §1201 and who is a registered sex offender

The application is based on these facts:

- ☒ Continued on the attached affidavit, which is incorporated by reference.  
☐ Delayed notice of \_\_\_\_\_ days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.  
☐ Your applicant requests that no notice be given prior to the execution of the search warrant, i.e., "no knock", the basis of which is set forth in the attached affidavit.  
☐ Your applicant requests authorization to serve the search warrant any time day or night pursuant to Fed. R. Crim. P. 41(e)(2)(A)(ii), the basis of which is set forth in the attached affidavit.



*Applicant's signature*

*Erik Doell, Special Agent Federal Bureau of Investigation*

*Printed name and title*

Sworn to before me and: ☐ signed in my presence.

☒ submitted, attested to, and acknowledged by reliable electronic means.

Date: 6/3/2020



*Judge's signature*

City and state: Rapid City, SD

*Daneta Wollmann, U.S. Magistrate*

*Printed name and title*

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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IN THE MATTER OF THE SEARCH OF:  
Two cell phones associated with  
Christopher Bald Eagle and currently in  
the custody of the FBI

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CASE NUMBER: 5:20-mj-121  
**REDACTED**  
**AFFIDAVIT IN SUPPORT OF**  
**SEARCH WARRANT**  
**APPLICATION**

State of South Dakota    )  
  ) ss  
County of Pennington    )

I, Erik K. Doell, Special Agent (SA) with the Federal Bureau of Investigations (FBI), being duly sworn, state as follows:

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) currently assigned to the Minneapolis Division – Rapid City Resident Agency. I have been employed with the FBI since February 17, 2009. I am currently authorized to investigate matters involving crimes committed within Indian Country as defined in 18 U.S.C. § 1151, including Aggravated Sexual Abuse in violation of 18 U.S.C. § 2241, as well as crimes of general application including Kidnapping in violation of 18 U.S.C. § 1201.

2. I based the information set forth below upon my personal observations, my training and experience as well as my knowledge of an investigation conducted by other FBI special agents and other law enforcement agents and officers including, but not limited to the Denver Police Department. I have not included every fact obtained pursuant to this investigation, but have set forth those facts that I believe are essential to establish the necessary

probable cause for the criminal complaint. I have not omitted any material fact relevant to the consideration of probable cause for a search warrant for Target Phones 1 and 2.

3. I have been informed that 18 U.S.C. §§ 1201(a)(1), (g)(1)(A) and (B)(i) and (ii) criminalize kidnapping of a person under the age of 18 who is not a parent, grandparent, brother, sister, aunt, uncle or legal custodian. I have also been informed that 18 U.S.C. § 2260A adds enhanced penalties for a person violating §1201 and who is a registered sex offender.

4. Your affiant respectfully submits that there is probable cause to believe that evidence of the crime of kidnapping by a registered sex offender will be found on Target Phone 1 and Target Phone 2 described further below.

**ITEMS TO BE SEARCHED FOR AND SEIZED:**

5. This affidavit is submitted in support of an application for a search warrant of one Black Cell Phone, 1B-31 phone recovered from Denver PD (likely used to call 911) Black in color, Tracfone, Model A405DL with IMEI 015400009476099 with Denver Police Department Property Report 1092254-004, hereafter Target Phone 1. And one 1B-6 phone Black in color, AT&T Model 40440 with IMEI 015411002109413, located in vehicle and recovered by the FBI Evidence Response Team inside the vehicle that T.M. and Bald Eagle were travelling identified as a black cellular telephone with cable, hereafter Target Phone 2. Both phones are currently in the possession of the FBI.

**PROBABLE CAUSE**

6. On December 28, 2019, Denver Police responded to a report of a kidnapping around 12:03 pm. The Victim, identified as T.M. reported that Christopher Bald Eagle had taken her against her will from South Dakota to Denver, Colorado and assaulted her both physically and sexually. T.M. was 17-years-old at the time and Bald Eagle was 65-years-old. T.M. called 911 from phone number [REDACTED] (Target Phone 1) to report the kidnapping in Denver, Colorado.

7. Bald Eagle was a friend of T.M.'s Grandmother, Louise Big Boy. Bald Eagle had previously called Louise Big Boy from [REDACTED], and Big Boy informed your affiant that [REDACTED] was the number associated with Bald Eagle. On or about 12/25-26/2019, Bald Eagle asked T.M. if she wanted to go with Bald Eagle to pick up her Grandmother, who was in the Martin, SD area. After getting in the car with Bald Eagle, T.M. noted that they were not driving towards Martin and asked Bald Eagle if he would take her home. Bald Eagle stated no and that they were not going to pick up Big Boy. When T.M. asked where they were going, Bald Eagle replied Denver.

8. T.M. relayed the following during her interview:

*"I'll start whenever he assaulted me. I was sleeping and he woke me up, and he said we were going to rest, and he drove off towards the side of the dirt road, and he woke me up and asked if I was awake. I just went "hmmm" like mumbled it. I just laid faced the window. I heard him mast... like jacking off. I could hear him moaning and groaning. I felt ugliness around me. I heard him groaning. He was*



saying my name and calling me baby. He told me to talk to him, and I was just facing the window trying to drown out the sound and ignore him. He starts touching my leg, and tried to kiss me but I don't want to, so he grabs me and chokes me and forces me to kiss him .. And then I pull away. He pulls my hair back. Then he starts touching me up, and squeezing my legs. Then I don't do nothing about it, because I knew if I did something he'd make it worse. He started cussing at me. He starts kissing my boobs through my shirt, and making his way down. He comes back up and kisses me. He goes back to jerking off. And then I just sit there and cry and look out the window. He tells me to lean over and give him a blow job, and I don't want to but he makes me want to so I do. I pull away and he asks me what I'm doing, and I said I don't want to. He said "I don't care what you say, you're my girl and I own you, and that pussy." I pull away from him and I sit there, and he starts talking nasty to me, "I'm going to fuck you so hard in the back, that I'm going to plant a seed in you and you're going to have my child." And then he says, "you ready" and I said I don't want to" and I lean closer to the door. He said "I don't care, you're going to do that anyway." he grabs me and pulls me closer and makes me kiss him, and puts his tongue in my mouth. Then he makes me get in the back seat, and he starts kissing me, and my boobs. And asks me if I've ever had a boyfriend. I lied to him and said no. He said "Good, because I own you. I don't want anyone else to touch this pussy but me." He says "I don't care what you tell me, you're mine, I could sell you if I want, but that pussy is mine, and I own you." And then he kisses me, and he sticks his fingers inside me. And I tried to get up and stop him, but he pushes me back down, holding my neck

*so I won't sit up. And then he just plays down there I guess. I see a car, and I get up real quick. he says "what are you doing", and pushes me back down, and then he tells me to put my clothes on and I get in the front seat."*

9. After the assault, Bald Eagle continued to drive. When T.M. asked Bald Eagle to take her home, he stated he did not want to. Bald Eagle told T.M. he could "sell" her, and she was his girlfriend and he was going to take her to Mexico. Bald Eagle stopped at a rest stop outside of Denver, Colorado where he followed T.M. to the bathroom and waited for her to come out. He then drove to an empty lot near West 11<sup>th</sup> Avenue and Mariposa Street in Denver, Colorado and began drinking alcohol. T.M. was able to get one of his cellular phones (Target Phone 1). T.M. called her grandmother who told her to call 911. T.M. called 911 and ran away from Bald Eagle. Denver Police subsequently contacted T.M. and she gave the statement above.

10. T.M. underwent a SANE examination during which she disclosed that Bald Eagle strangled her using one hand from the front, "first time was his right, second time was his left." The SANE examiner also noted that T.M. suffered from a small anal tear, body abrasion and tenderness.

11. Bald Eagle stated during an interview with investigators in Denver, Colorado, that T.M. had used a cellular telephone during the drive to Denver and had played games on it.

12. There were two cellular telephones seized in this case. The first phone being a Black Cell Phone, identified as a Tracfone with Denver Police Department Property Report 1092254-004 (Target Phone 1). The FBI Evidence



Response Team recovered the second phone inside the vehicle that T.M. and Bald Eagle were travelling identified as a black cellular telephone with cable (Target Phone 2).

13. Denver Police Department officers recovered Target Phone 1 from T.M. subsequent to her calling 911. They recovered Target Phone 2 from the vehicle T.M. and Bald Eagle had previously occupied. On January 7, 2020 and January 13, 2020, the FBI took custody of the Target Phone 2 and Target Phone 1, respectively, phones have remained in secure evidence since that time.

14. Interviews of both Bald Eagle and T.M. state that they each used a cellular telephone at different times. Bald Eagle claims that T.M. used a cellular telephone during the drive to Denver, Colorado. Big Boy stated that she received a call from Bald Eagle prior to the kidnapping. T.M. and Big Boy both stated T.M. called Big Boy prior to calling 911.

15. Search of the phones will likely yield information appurtenant to the kidnapping.

16. I am aware that Christopher Bald Eagle is a previously convicted sex offender by virtue of multiple prior convictions. He was convicted in 1992 of Child Sexual Abuse and was sentenced to 240 months imprisonment, 3 years supervised release and was ordered to register as a sex offender. He was subsequently convicted several times for failing to register as a sex offender and was also ordered to register as a sex offender based on those convictions.


**CONCLUSION**

17. Based on my training and experience, and the facts as set forth in this affidavit, there is probable cause to believe that there exists evidence of a crime, instrumentalities, and/or fruits of violations of criminal laws as specified herein, are located in Target Phones 1 and 2, described further in Attachment A. I respectfully request that this Court issue a search warrant for Target Phone 1 and 2, authorizing the seizure and search of the items described in Attachment B.

  
\_\_\_\_\_  
Special Agent Erik Doell  
Federal Bureau of Investigation

SUBSCRIBED and SWORN to  
\_\_\_\_\_ in my presence  
X by reliable electronic means

this 3rd day of June, 2020.

  
\_\_\_\_\_  
DANETA WOLLMANN  
U.S. MAGISTRATE JUDGE

**ATTACHMENT A**  
**Property to Be Searched**

- One Black Cell Phone, 1B-31 phone recovered from Denver PD (likely used to call 911) Black in color, Tracfone, Model A405DL with IMEI 015400009476099 with Denver Police Department Property Report 1092254-004, (referred to in the affidavit as Target Phone 1); and
- One 1B-6 phone Black in color, AT&T Model 40440 with IMEI 015411002109413, located in vehicle and recovered by the FBI Evidence Response Team inside the vehicle that T.M. and Bald Eagle were travelling identified as a black cellular telephone with cable, (referred to in the affidavit as Target Phone 2).
- Both phones are currently in the possession of the FBI

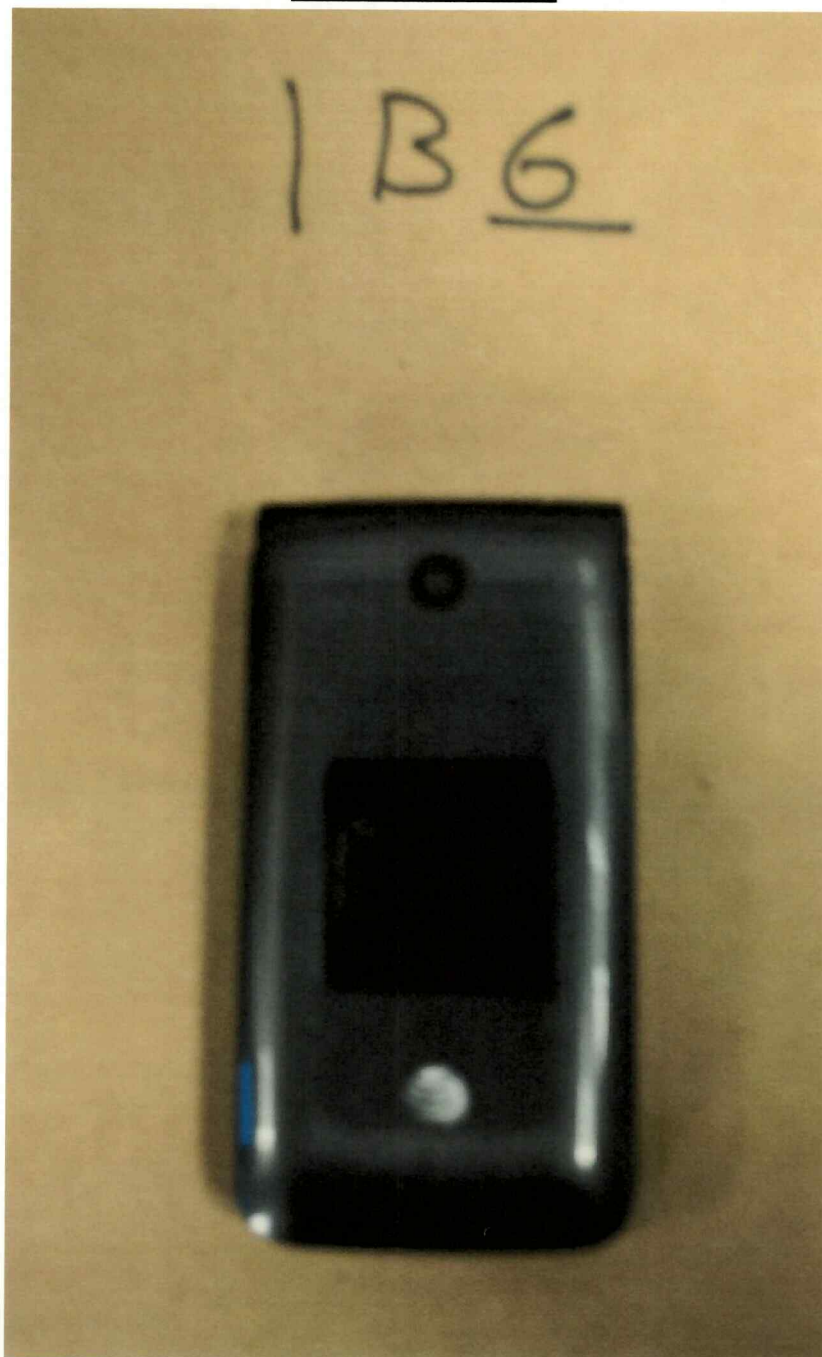
**ATTACHMENT B**  
**ITEMS TO BE SEIZED**

The following materials, which constitute evidence of the commission of a criminal offense, the fruits of crime, or property designed or intended for use or which is or has been used as the means of committing a criminal offense, namely violations of 18 U.S.C. §§ 1201(a)(1), (g)(1)(A) and (B)(i) and (ii) (kidnapping of a person under the age of 18 who is not a parent, grandparent, brother, sister, aunt, uncle or legal custodian) and 18 U.S.C. § 2260A (enhanced penalties for a person violating §1201 and who is a registered sex offender).

ATTACHMENT C



**ATTACHMENT D**



**ATTACHMENT E**





**ATTACHMENT F**

